

## Message

**From:** Spading, Kenton E RAO @ MVP [Kenton.E.Spading@usace.army.mil]  
**Sent:** 10/27/2016 11:43:39 PM  
**To:** Oknich, Jen (MPCA) [jen.oknich@state.mn.us]; Fay, Lisa (DNR) [lisa.fay@state.mn.us]  
**CC:** Jimenez, Michael -FS [mjimenez@fs.fed.us]; Westlake, Kenneth [westlake.kenneth@epa.gov]; Augustin, Ralph J MVP [Ralph.J.Augustin@usace.army.mil]  
**Subject:** Northmet Mine FEIS and ROD: Letter From MN Ctr for Envir Advocacy, CEQ Guidance  
**Attachments:** CEQ Final Guidance on Greenhouse Gas Emissions and the Effects of Climate Change.pdf; EPA Northern Access 2016 letter comment.pdf

Jen and Lisa,  
 This is a follow-up to my phone call to Lisa today.

These are excerpts from the 28 Sept. 2016 Minnesota Center for Environmental Advocacy's (MCEA) letter [attached] for discussion at next week's meeting. The MCEA letter forwarded [01 Aug. 2016] Council on Environmental Quality (CEQ), Office of the President guidance [also attached] for federal agencies on consideration of greenhouse gas emissions/climate change.

## MCEA Comments:

....the U.S. Environmental Protection Agency's (EPA) comments on the Northern Access 2016 Environmental Assessment, make it clear that the [01 Aug. 2016] Council on Environmental Quality (CEQ), Office of the President, guidance is applicable to issued NEPA documents. Each federal agency remains accountable to analyze greenhouse gas (GHG) emissions and mitigation measures even if the NEPA document came out before the Climate Change Guidance became effective.

.... the Guidance and [early] comments together demonstrate that the [climate change] analysis in the FEIS is inadequate and your agencies have not satisfied your duties under the CEQ NEPA regulations in reviewing a mining project's full impacts. Until these issues are resolved with a supplemental analysis, issuing a ROD on this FEIS would be arbitrary and capricious, and not in accordance with NEPA.

.... We urge you to announce a supplemental review period with notice and comment periods sufficient to fully address climate change issues.

Thank you,

Kenton Spading, P.E., Lead Project Manager  
 U.S. Army Corps of Engineers, St. Paul District  
 Regulatory Branch, Technical Services Section  
 180 5th St. East, St. Paul, MN 55101  
 Cell: 651-272-7970, Desk: 651-290-5623  
 Kenton.E.Spading@usace.army.mil

## -----Original Message-----

From: Bruner, Douglas W MVP  
 Sent: Wednesday, September 28, 2016 4:33 PM  
 To: Spading, Kenton E RAO @ MVP <Kenton.E.Spading@usace.army.mil>; Augustin, Ralph J MVP <Ralph.J.Augustin@usace.army.mil>  
 Subject: Letter re CEQ Guidance and NorthMet FEIS

Kenton and Ralph,  
 This correspondence is for your action.  
 Respectfully,

Doug Bruner  
 651-769-3437 (BB)

## -----Original Message-----

From: Eric Lindberg [mailto:elindberg@mncenter.org]  
 Sent: Wednesday, September 28, 2016 1:43 PM  
 To: Bruner, Douglas W MVP <Douglas.W.Bruner@usace.army.mil>; mjimenez@fs.fed.us  
 Cc: Hudson Kingston <hkingston@mncenter.org>; Marc Fink <mfink@biologicaldiversity.org>; Paul Danicic <paul@friends-bwca.org>; lisa.fay@state.mn.us; tom.landwehr@state.mn.us; john.stine@state.mn.us; kaplan.robert@epa.gov; Lori Andresen <andres01@charter.net>  
 Subject: [EXTERNAL] Letter re CEQ Guidance and NorthMet FEIS

Good afternoon Mr. Bruner and Mr. Jimenez,

On behalf of Hudson Kingston, staff attorney with Minnesota Center for Environmental Advocacy, please see attached for a letter from MCEA, Center for Biological Diversity, Friends of the Boundary Waters Wilderness, and Save our Sky Blue Waters regarding the White House Council on Environmental Quality's recent final Guidance on Consideration of Greenhouse Gas Emissions and the Effects of Climate Change and its bearing on the FEIS for the proposed NorthMet Mine Project and land exchange. Also attached, in support of this letter, you will find:

\* Final Guidance for Federal Departments and Agencies on Consideration of Greenhouse Gas Emissions and the Effects of Climate Change in National Environmental Policy Act Review, August 1, 2016; and

\* EPA letter to the Federal Energy Regulatory Commission filed on August 29, 2015.

Please enter these three documents in the administrative record for the FEIS. Please do not hesitate to contact me or Mr. Kingston directly with questions.

Regards,

Eric Lindberg  
Legal Assistant  
Minnesota Center for Environmental Advocacy  
26 E Exchange Street, Suite 206  
St. Paul, MN 55101  
(651) 287-4868

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